

**McDERMOTT WILL & EMERY LLP**

Andrew B. Kratenstein  
Michael R. Huttenlocher  
Darren Azman  
340 Madison Avenue  
New York, New York 10173  
Telephone: (212) 547-5400  
Facsimile: (212) 547-5444

*Attorneys for Defendants Sage Realty;  
Malcolm H. Sage, in his Capacity as Partner or  
Joint Venturer of Sage Realty, Individually as  
Beneficiary of Sage Realty, and Personal  
Representative of the Estate of Lillian M. Sage;  
Martin A. Sage, in his Capacity as Partner or Joint  
Venturer of Sage Realty and Individually as  
Beneficiary of Sage Realty; and Ann M.  
Passer, in her Capacity as Partner or Joint  
Venturer of Sage Realty and Individually as  
Beneficiary of Sage Realty*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION	)	
CORPORATION,	)	Adv. Pro. No. 08-1789 (SMB)
	)	
Plaintiff-Applicant,	)	SIPA LIQUIDATION
	)	
v.	)	
	)	
BERNARD L. MADOFF INVESTMENT	)	Substantively Consolidated
SECURITIES LLC	)	
	)	
Defendant.	)	
-----	)	
In re:	)	
	)	
BERNARD L. MADOFF,	)	
	)	
Debtor.	)	
-----	)	
IRVING H. PICARD, TRUSTEE FOR THE	)	Adv. Pro. No. 10-4400 (SMB)
LIQUIDATION OF BERNARD L. MADOFF	)	
INVESTMENT SECURITIES LLC,	)	
	)	
Plaintiff.	)	
	)	

v. )  
)  
SAGE REALTY; LILLIAN M. SAGE, in her )  
Capacity as Partner or Joint Venturer of Sage )  
Realty and Individually as Beneficiary of )  
Sage Realty; MALCOLM H. SAGE, in his )  
Capacity as Partner or Joint Venturer of Sage )  
Realty and Individually as Beneficiary of )  
Sage Realty; MARTIN A. SAGE, in his )  
Capacity as Partner or Joint Venturer of Sage )  
Realty and Individually as Beneficiary of )  
Sage Realty; ANN M. SAGE PASSER, in her )  
Capacity as Partner or Joint Venturer of Sage )  
Realty and Individually as Beneficiary of )  
Sage Realty, )  
)  
)  
)  
Defendants. )  
\_\_\_\_\_ )

**NOTICE OF REQUEST TO DEPOSE BERNARD L. MADOFF**

**PLEASE TAKE NOTICE**, that pursuant to the *Order Authorizing the Deposition of Bernard L. Madoff* [Docket No. 14213] (the “Order”), Sage Realty, Malcolm H. Sage, Martin A. Sage, Ann M. Sage Passer, and Malcolm H. Sage, in his capacity as Personal Representative of the Estate of Lillian M. Sage, as defendants (the “Defendants”) in adversary proceeding number 10-4400 (SMB) (the “Adversary Proceeding”), seek permission to depose Bernard L. Madoff (“Madoff”) on “Day 2” of the deposition as defined in the Order;

**PLEASE TAKE FURTHER NOTICE**, that the specific areas of inquiry for the deposition taken by the Defendants will be as follows:

1. The extent to which Madoff or Bernard L. Madoff Investment Securities LLC (“BLMIS”) bought, sold, and held actual securities on behalf of Madoff’s clients, including the Defendants;

2. Areas of inquiry specific to the Defendants’ accounts held with Madoff and BLMIS, including, without limitation, the history of those accounts and the extent to which

Madoff and BLMIS were directed to and did buy, sell, and hold actual securities on behalf of the Defendants, including through the use of margin.

3. Day Two Deposition Topics listed by any other counsel for Participating Customers as defined in the Order.

Dated: May 31, 2017  
New York, New York

McDermott Will & Emery LLP

/s/Andrew B. Kratenstein  
Andrew B. Kratenstein  
Michael R. Huttenlocher  
Darren Azman  
340 Madison Avenue  
New York, New York 10173-1922  
Telephone: (212) 547-5400  
Facsimile: (212) 547-5444

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